


DT07 Rec'd PCT/PTO 30 SEP 2004

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER 081356-0223
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>40/509738</b> Unassigned
INTERNATIONAL APPLICATION NO. PCT/JP02/07622	INTERNATIONAL FILING DATE 07/26/2002	PRIORITY DATE CLAIMED 04/01/2002
TITLE OF INVENTION USE OF KIAA0172 GENE IN TREATMENT AND DIAGNOSIS OF DISEASES AS WELL AS IN PHARMACEUTICAL DEVELOPMENT ( <i>As Amended</i> )		
APPLICANT(S) FOR DO/EO/US Ryoichi KIYAMA, Keisuke KITAJIMA, Shinobu OGUCHI, Michio OISHI, Osamu OHARA & Takahiro NAGASE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Petition to Accept Color Photographs &amp; Statement to Support Filing and Submission of Sequence Listing.</li> </ol>		

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O. (If known, see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/JP02/07622		ATTORNEY'S DOCKET NUMBER 081356-0223	
10/509738					
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	
				PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b>					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....				\$1,080.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....				\$920.00	
No international preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....				\$770.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....				\$730.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....				\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	26 - 20 =	6	x \$ 18.00	\$ 108.00	
Independent Claims	13 - 3 =	10	x \$ 86.00	\$ 860.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 290.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 2308.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 0.00	
<b>SUBTOTAL =</b>				\$ 2308.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 2308.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 2308.00	
				Amount to be refunded:	
				charged:	
a. <input checked="" type="checkbox"/> A check in the amount of \$2,308.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$2308.00 to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP Customer Number: 22428					
					
SIGNATURE					
Stephen A. Bent					
NAME					
29,768					
REGISTRATION NUMBER					
Date: September 30, 2004					

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ryoichi KIYAMA et al.  
Title: USE OF KIAA0172 GENE IN TREATMENT AND DIAGNOSIS  
OF DISEASES AS WELL AS IN PHARMACEUTICAL  
DEVELOPMENT  
Appl. No.: Unassigned  
Int'l Appln. No: PCT/JP02/07622  
Int'l Appln. Filing Date: 7/26/2002  
Examiner: Not yet assigned  
Art Unit: Not yet assigned

**PETITION TO ACCEPT COLOR PHOTOGRAPHS UNDER 37 CFR 1.84**

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313  
Sir:

In accordance with 37 CFR 1.84(a)(2), Applicants petition for the acceptance of Figs. 2B, 2C, 9, 10A, 10B, 11, 12B, 14, 15A, 16A, 17 and 18A (color photographs) to be entered in the above-captioned application.

In support thereof, Applicants submit:

- I) A fee in the amount of \$130.00 as is set forth under 37 CFR 1.17(h);
- II) Three (3) sets of each color figure set forth above;
- III) A black and white photocopy that accurately depicts, to the extent possible, the subject matter illustrated in the color drawings; and
- IV) An amendment to the specification indicating that the application contains color photographs.

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